

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Social Welfare – Land Acquisition –Mahabubnagar District –Waddepally (V) &(M)- Acquisition of Land to an extent of Ac. 4.83 bearing Sy. No. 272/C,D,F for providing house sites to the weaker section's people – Sanction of Rs 17,77,149/- towards balance decretal charges, as ordered in O.P.No. 74/87 which was confirmed by the Hon'ble High Court of AP., in Appeal No. 2845/1996 - Orders - Issued.

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SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 842

Dated: 14.10. 2009

Read the following

1. From the District Collector, Mahabubnagar, Lr.Rc. No.LA4/24/97,
Dated:31/08/2009.
2. From the Commissioner of Social Welfare, AP., Hyderabad
Lr.NO. LA2/14701/2003, dated: 11/9/2009.
3. From the CCLA, AP, Hyderabad, Lr. No. G1/1422/2009,
Dated 24.09.2009.

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ORDER:-

In the reference 3rd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the land admeasuring Ac.4.83 bearing Sy.No.272/ C,D,F of Waddepally (V) & (M), Mahabubnagar District was acquired for providing house sites to the weaker section's people. The LAO and Tahsildar, Alampur has passed an award on 27/3/85, duly fixing the market value covered under acquisition as Rs. 6,000/- per acre.

2. Aggrieved by the orders passed by the LAO /Tahsildar, Alampur, the Awardees have filed protest petition U/S 18 of The LA Act and the matter was referred to the Court of Subordinate Judge, Gadwal for adjudication. The Court of the Subordinate Judge, Gadwal , has passed a judgment in O.P.No. 74/87 dated: 28/7/1995 enhancing the market value of area covered under acquisition as Rs. 75,000/- per acre. The LAO has therefore filed an Appeal /Suit No. 2845/96 before the Hon'ble High Court against the orders passed in O.P.No. 74/87, dt. 28/7/1995. The Hon'ble High Court, has disposed off the Appeal Suits on 18/7/2002, duly confirming the Lower Court's order. An SLP was filed by the LAO against the orders of HC in W.P.No. 2845/96, Dt. 18/7/2002 which was also dismissed on 10-2-20003. The decree holders have filed EP before the Court of Senior Civil Judge, Gadwal and a WP before Hon'ble High Court of AP with a request to direct the respondents to pay balance compensation to the credit of EP.No. 341 of 2002 as ordered in OP No. 74/1987 on the file of Sr. Civil Judge, Gadwal. The Hon'ble High Court in its order, dt. 21/1/09 in W.P.MP.No. 27413 of 2008 in W.P.No. 20977 of 2008 has issued interim direction as prayed for by the Writ Petitioners.

3. The District Collector, Mahabubnagr has finally requested to release an amount of Rs. 17,77,869/- towards enhanced compensation vide her letter 1st read above. But the CCLA., AP., Hyderabad vide her letter 3rd read above has requested for sanction of an amount of Rs. 17,77,149/- only towards balance decretal charges, as calculated by his office.

4. After careful examination of the above proposal, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs. 17,77,149/- /- (Seventeen lakhs seventy seven thousand one hundred and forty nine only) to the District Collector,

(P.T.O.)

Mahabubnagar, towards payment of the balance decretal charges, as ordered in O.P.No. 74/87, dt. 28/7/95 by the Court of Subordinate Judge, Gadwal which was confirmed by the Hon'ble High Court, in A.S.No. 2845/96, dt. 18/7/2002 in respect of the land acquired to an extent of Ac.4.83 bearing Sy.No.272/ C,D,F of Waddepally (V) & (M), Mahabubnagar District for providing house sites to the weaker section's people.

5. The amount of expenditure sanctioned in para (4) above shall be met within the B.E. 2009-10 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Indiramma Programme - 310/312 – other Grants-in-aid” .

6. The Commissioner of Social Welfare, A.P., Hyderabad, is requested to issue necessary proceedings to the District Collector, Mahabubnagar, to comply with the Court orders.

7. The District Collector, Mahabubnagar, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per the instructions issued by them vide U.O.Note No.12869/196/A1/Esp.SW/2009, dated..22.05.2009 and U.O. No. 15926/256/A1/1/Expr.SW/09, dated.17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Social Welfare, A.P., Hyderabad.

The Chief Commissioner of Land Administration, AP, Hyderabad.

The District Collector, Mahabubnagar, District..

Copy to:

The Director of Treasuries & Accounts, A.P. Hyderabad.

The Accountant General, A.P., Hyderabad

The Dist. Treasury Officer, Mahabubnagar, District.

Finance (Exp.SW/BG) Department.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER